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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/574,386	
	Filing Date	May 19, 2000	
	First Named Inventor	Donna G. Albertson	
	Group Art Unit	1656	
	Examiner Name	Spiegler, A.	
Total Number of Pages in This Submission	8	Attorney Docket Number	407E-914400US

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): Submission Cover sheet and Declaration under 37 CFR 1.132
Authorization to Charge Deposit Account Please charge Deposit Account No. 50-0893 for any additional fees associated with this paper or during the pendency of this application, including any extensions of time for consideration of the documents enclosed.		
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Emily M. Haliday, Reg. No. 38,903 Quine Intellectual Property Law Group, P.C.
Signature	<i>Emily M. Haliday</i>
Date	Aug. 5, 2002

CERTIFICATE OF FACSIMILE TRANSMITTAL			
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Atty Docket No: 407E-914400 US

Client Ref: 2000-364-1

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GROUP 1600**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Donna G. Albertson; Daniel Pinkel; Antoine
Snijders

Application No.: 09/574,386

Filed: 5/19/2000

For: **Methods And Compositions For
Preparation Of A Polynucleotide Array**

Examiner: Spiegler, A.

Art Unit: 1656

**SUBMISSION OF DECLARATION
UNDER 37 C.F.R. 1.132**Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

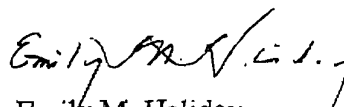
Supplemental to the Amendment filed on July 3, 2002, Applicants submit herewith the Declaration of Dr. Donna G. Albertson, one of the co-inventors of the above-referenced application. This Declaration is submitted as evidence of a distinction between the claimed invention and Smith *et al.* (PCR Methods and Applications (1992) 2:21-27). In particular, Applicants stated at page 10-11 of the Amendment that: "If the recited amplification products and those disclosed in Smith were subjected to gel electrophoresis, followed by DNA staining, the recited amplification products would appear as a 'smear,' whereas Smith's amplification products would appear as discrete bands." The accompanying Declaration includes a photograph showing the DNA smear produced by the claimed method. A comparison of this photograph with any of Figs. 2-4 of Smith illustrates that the claimed invention requires the production of a target solution that is representative of essentially an entire starting polynucleotide, whereas Smith teaches the selective amplification of single restriction fragments from large DNA molecules.

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If there are any questions regarding this submission, the Examiner is invited to call the undersigned at (510) 769-3509.

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Respectfully submitted,


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